UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:12-cv-00596-MOC-DSC

SCOTT REHBERG, et al.,)	
Plaintiffs,)	
Vs.)	ORDER
FLOWERS BAKING COMPANY OF JAMESTOWN, LLC and FLOWERS FOODS,)	
INC., Defendants.)))	

THIS MATTER is before the court on Plaintiffs' Motion for Pretrial Conference (#223), to which Defendants have indicated by e-mail to chambers staff that they do not object.

This matter currently has a "ready date" for trial of September 1, 2016; the first Charlotte civil term after that date begins on October 17, 2016. This case will therefore not go to trial until October 17 at the earliest. Plaintiffs have represented via their motion that despite completing nearly six days of mediation sessions with several different mediators, the parties have yet to come to a resolution in this case. They also noted that Defendants have recently filed a Motion for Clarification (#218) regarding this court's Class Certification Order, which issued March 24, 2015 (#129). Plaintiffs have also filed a Motion to Strike (#220) Defendants' recent expert disclosure. Plaintiffs have requested that the court hold a pretrial conference via phone to address how the timing of such motions will affect the upcoming trial. As the trial is still scheduled to begin over two months from now, the court will calendar this matter for a status conference, as opposed to a final pretrial conference, in Charlotte on August 22, 2016. Additionally, despite

Plaintiffs' request for a phone conference, the court will require counsel to appear in person.

Finally, given that the above-mentioned Motions should be fully briefed and ripe for review as of

the August 22, 2016 hearing, the court will calendar those for argument. The court will then

consider the merits of such motions as well as the potential impacts they will have on the trial

schedule in this matter. The court therefore enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiffs' Motion for Pretrial Conference

(#223) is **GRANTED** in part and **DENIED** in part. The court will hold an in-person status

conference in Charlotte on August 22, 2016 at 9:30 a.m.

IT IS FURTHER ORDERED that Plaintiffs' Motion to Strike (#220) and Defendants'

Motion for Clarification (#218) shall also be calendared for oral argument at that time.

Signed: August 11, 2016

Max O. Cogburn J.

United States District Judge

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